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Attorneys for Defendant
HOME DEPOT U.S.A., INC.

UNITED STATES DISTRICT COURT

THE NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

GERVACIO and ROSA MARTINEZ,

Plaintiffs,

vs.

HOME DEPOT U.S.A., INC., et al.,

Defendants.

Case No. 5:2005cv03904-JW

**STIPULATION AND ORDER FOR
DISMISSAL**

Pursuant to FED.R.CIV.PRO. 41(a)(1)(A)(ii) it is hereby stipulated and agreed that Plaintiffs
GERVACIO and ROSA MARTINEZ hereby voluntarily dismiss the above-captioned case with
prejudice, in entirety, each party to bear their own costs.

DATED: January 27, 2009

BOCCARDO LAW FIRM LLP

By: 

John C. Stein, Esq.
Attorneys for Plaintiffs
GERVACIO and ROSA MARTINEZ

DATED: January 27, 2009

JENKINS GOODMAN NEUMAN &
HAMILTON LLP

By: 

Zachary S. Tolson, Esq.
Attorneys for Defendant HOME DEPOT U.S.A., INC.

**THE MATTER IS HEREBY DISMISSED. ALL FUTURE HEARINGS ARE HEREBY
CANCELLED. IT IS SO ORDERED.** The Clerk shall close this file.

DATED: Jan 27, 2009

By: 

UNITED STATES DISTRICT COURT JUDGE

Jenkins Goodman
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